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S/N 10/808,987

SEP 28 2006

PATENT

Applicant:	David A. Orbits et al.	Examiner:	Neveen Abel Jalil
Serial No.:	10/808,987	Group Art:	2165
Filed:	March 24, 2004	Docket:	40062.91USC1
Title:	SYSTEM AND METHOD FOR RELIABLY REPLICATING DATA		

CERTIFICATE UNDER 37 CFR 1.6(d): I certify that this paper is being transmitted by facsimile 571-273-8300, Commissioner for Patents, ATTN: Neveen Abel Jalil, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on April 13, 2006.

By:   
Name: Alice Baum

RESPONSE TO OFFICE ACTION

VIA FACSIMILE #571-273-8300  
Commissioner for Patents  
ATTN: Examiner Neveen Abel Jalil  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

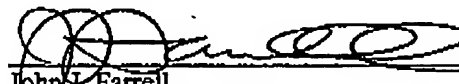
In the Office Action mailed March 13, 2006, a Restriction Requirement was issued under 35 U.S.C. 121. The Restriction Requirement requested election of either Claims 1-6 and 18-20, or Claims 7-17. As discussed with the Examiner in a telephone conversation on March 22, 2006, a preliminary amendment canceling Claims 7-17 was filed with the present continuation application on May 24, 2004. Thus, the Restriction Requirement is not applicable.

Appln. Number: 10/808,987  
Response dated April 13, 2006  
Reply to Office Action of March 13, 2006

Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the Applicants at the telephone number provided below.

Respectfully Submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903



John J. Farrell  
Registration No. 57,291  
Direct Line: 206.342.6261

**27488**

PATENT TRADEMARK OFFICE

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Attn: Examiner Neveen Abel Jalil Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	FROM: Timothy P. Sullivan  OUR REF: 40062.91USC1
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Total pages, including cover letter: 5PTO FAX NUMBER 1-571-273-4074

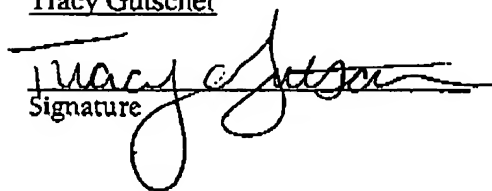
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Title of Document Transmitted: Copy of Response filed April 13, 2006Applicant: David Orbits et al.Serial No.: 10/808,987Filed: March 24, 2004Group Art Unit: 2165Our Ref. No. 40062.91USC1Confirmation No. 6801

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<p>200 THE GARDEN SUITE 200 17000 14TH AVE ALBUQUERQUE, NM 87104 505.422.6200 WWW.MGLOAN.COM mgol.com</p>	
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<p>TO: Commissioner for Patents ATTN: Trademark Section P.O. Box 1450 Alexandria, VA 22313-1450</p>	<p>FROM: John J. Parnell OUR REF: 4006251USC1 (LITMEX) TELEPHONE: 206.342.6201</p>
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<p>Documents Transmitted: <u>Examination of Trademark, Response to Office Action</u></p>	
<p>Title: <u>SYSTEM AND METHOD FOR TRANSMITTING DATA</u> Applicant: <u>David A. Chisholm</u> Serial No.: <u>09/017,260</u> Filed: <u>July 25, 2001</u> Group Art Unit: <u>2162</u> Our Ref. No.: <u>4006251USC1</u> Classification No.: <u>6801</u></p>	
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<p>April 13, 2006</p>	<p>By: <u>[Signature]</u> Name: <u>John J. Parnell</u> Reg. No.: <u>37,291</u></p>
<p>PAGE 02 OF 04 AT 09:28:13 PM (Eastern Daylight Time) * SVR:USPTO-EFAX-6/37 * DNIS:2738300 * CSID:206 342 6201 * DURATION (mm:ss):00:52</p>	